

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-30, 33-42 and 73 are pending in the present application. Claims 31, 32, 43-72 and 74-80 have been cancelled and Claims 1, 2, 4, 6, 7, 11, 15, 16, 19, 20, 23, 25, 27, 29, 30, 40-42 and 73 have been amended by the present amendment.

The outstanding Office Action rejects Claims 16, 20, 23-29, 32 and 40 under 35 U.S.C. § 112, second paragraph; rejects independent Claim 1 under 35 U.S.C. § 102(b) as anticipated by Itano; rejects independent Claim 6 under 35 U.S.C. § 103(a) as unpatentable over Itano in view of Ueda et al; rejects independent Claim 11 under 35 U.S.C. § 103(a) as unpatentable over Itano in view of Kataoka et al; rejects independent Claims 15, 19 and 73 under 35 U.S.C. § 103(a) as unpatentable over Itano in view of Hiyamizu et al and Toyama; indicates Claims 23-29 would be allowable if rewritten or amended to overcome the rejections under 35 U.S.C. § 112, second paragraph, set forth in the outstanding Office Action; Claim indicates Claim 32 would be allowable if rewritten to overcome the rejections under 35 U.S.C. § 112, second paragraph, set forth in the outstanding Office Action and to be rewritten in independent form; and indicates Claims 33-39 would be allowable if rewritten in independent form.

Applicants thank the Examiner for the indication of allowable subject matter. In light of this indication, Claims 23-29 have been amended in light of the comments noted in the outstanding Office Action regarding the 35 U.S.C. § 112, second paragraph rejection, and as shown in the marked-up copy. Claims 16, 20, 32 and 40 have similarly been amended. Further, Claim 30 has been amended to include the subject matter recited in Claims 31 and 32. Accordingly, it is respectfully submitted Claims 23-30 and 33-42 are also allowable.

Regarding the rejection of independent Claim 1, the outstanding Office Action states Itano shows a rear surface of the substrate holder contacting at least a portion of the rear surface of the film-formed area of the substrate and cites Figures 1-3. However, Applicants note Claim 1 of the present invention has been amended to recite that the contact holding surface is substantially planar with a top surface of the substrate holder. This feature is shown in Figure 3, for example, in which the contact holding surface contacting at least a portion of a rear surface of a film-formed area S of the substrate in which the film is formed is substantially planar with a top surface of the substrate holder 3.

On the contrary, Itano shows in Figures 1-3 an optical disk 2 supported within a groove of the substrate holder. As clearly shown in Figures 1-3, the surface of the optical disk 2 contacting the substrate holder 1 is not substantially planar with a top surface of the substrate holder 1. Similar arguments apply to independent Claim 6.

Accordingly, it is respectfully submitted independent Claims 1 and 6 and each of the claims depending therefrom are also allowable.

Regarding independent Claim 11, the outstanding Office Action recognizes Itano does not teach or suggest that the substrate holding surface is rough, and relies on Kataoka et al as teaching this feature. However, Applicants note Claim 11 has been amended to recite that an entire surface of the substrate holding surface which contacts the rear surface of the substrate is rough. This feature is supported at least in Figure 11 and at page 39, lines 18-23. As clearly shown in Figure 6 of Kataoka et al, the entire surface of the substrate holding surface contacting the rear surface of the substrate is not rough, but rather only portions 18a of the surface 18 are rough.

Accordingly, it is respectfully submitted independent Claim 11 and each of the claims depending therefrom are also allowable.

Regarding the rejection of independent Claims 15, 19 and 73, the outstanding Office Action recognizes Itano and Hiyamizu et al do not teach or suggest the claimed porous member, and relies on Toyama as teaching this feature. However, Applicants note each of these independent claims have been amended to recite that a surface of the porous member is substantially planar with a top surface of the substrate holder. This feature is shown at least at Figure 14 and at page 45, lines 12-14. As clearly shown in Figure 1 of Toyama, the porous chuck plate 22 does not have a surface which is substantially planar with a top surface of the substrate holder. Rather, the porous chuck plate 22 has a surface which is below a top surface of the substrate holder 14.

Accordingly, it is respectfully submitted independent Claims 15, 19 and 73 and each of the claims depending therefrom are also allowable.

The outstanding Office Action also applies several publications as teaching the features of the depending claims. However, Applicants note these additional publications also do not teach or suggest the features recited in the independent claims as discussed above, and accordingly it is respectfully submitted each of the rejections noted in the outstanding Office Action have been overcome.

In addition, the specification has been amended to correct minor informalities, and Figure 27 is being amended to include the proper label "401e" to correspond with the specification. A separate letter requesting approval of this drawing change is being submitted to the draftsman.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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